



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Polysomnography
124 Halsey Street, 6th Floor, Newark, NJ 07102



JOHN J. HOFFMAN
Acting Attorney General

STEVE C. LEE
Acting Director

STATE BOARD OF POLYSOMNOGRAPHY UNION CONFERENCE ROOM, 3rd FLOOR

Mailing Address:
P.O. Box 45051
Newark, NJ 07101
(973) 273-8093

PUBLIC SESSION MINUTES

SEPTEMBER 16, 2014

FINAL

The September meeting of the State Board of Polysomnography was convened in accordance with its notice to the Secretary of State, the Bergen Record, Trenton Times, the Star Ledger and the Courier Post and was conducted in accordance with the provisions of the Open Public Meetings Act.

Chair, Penni Smith, called the meeting to order at 10:00 P.M. A roll call was taken and the following attendance was recorded for these minutes.

PRESENT: Penni Smith, RPSGT, RST, Chair
Sara Gallagher, RPSGT, RST, Vice Chair

EXCUSED: Mitchell Rubinstein, RPSGT, RST
Don Fahy, RPSGT, RST
Kathleen Feeney, RPSGT, RST
Dr. Gerald Ferencz
Dr. John Penek

Also in attendance: Dorcas K. O'Neal, Executive Director, Virginia Class-Matthews, Deputy Attorney General, Elizabeth Greenblatt, Regulatory Analyst and Kathleen Griffith Staff.

Due to lack of a quorum, the members met as a Committee with all actions subject to ratification by the Board.

I. APPROVAL OF MINUTES

a. Based on the attendance of the September 16, 2014 meeting, there was not a quorum, therefore, the Minutes will be ratified by the full Board at the next meeting.
REAGENDIZED

II. OLD BUSINESS/REAGENDIZED (FYI)

There are no items of old business

III. NEW BUSINESS

a. The Board reviewed an e-mail from **Kristal Langner, Education Provider**, stating that the Health and Safety Institute is the parent company to the American Safety and Health Institute (ASHI) and Medic First Aid brand training programs. These programs have previously been extensively reviewed, independently validated and found substantially equivalent to the training programs of the American Health Association and the American Red Cross.

Ms. Langner believes that the programs meet the intent of the requirements established by the agency and is requesting approval for these programs from the State Board of Polysomnography.

The New Jersey Department of Health and Senior Services publishes a list of currently recognized certification of which American Safety and Health Institute (ASHI) is a part with two (2) certifications which the State Board of Polysomnography utilizes. However, the Medic First Aid brand training programs is not listed and the State Board of Polysomnography will not approve additional certifications at this time.

IV. LEGISLATION/REGULATIONS/(FYI)

a. **Betsy Greenblatt, Regulatory Analyst**, to discuss licensure by endorsement of any out-of-State polysomnographic technologist. Presently, according to the Board, licensure by endorsement applies to the State of Maryland only.

Regulatory Analyst Greenblatt discussed with the Board the provisions of P.L. 2013, c.182, regarding reactivation, reinstatement, and reciprocity. Under the new statute, there is no "five year" bright line for treating applicants for reactivation or reinstatement differently depending on whether their license has been administratively suspended or has been inactive for less than five years or for more than five years. It will be up to the Board to assess the competency of all applicants, and if deficiencies are found, determine what an applicant must do to assure that the applicant is competent.

With respect to reciprocity, the Board will have to determine whether an applicant comes from a state with licensing requirements that are substantially similar to the Board's requirements. The Board will have the option of choosing what period of time (between 6 months and two years) applicants must have been practicing in another jurisdiction in order to be eligible for reciprocity. Under the statute, the Board may also limit the grant of reciprocity to applicants from states that grant reciprocity to New Jersey licensees. The statute also permits the Board to look at an applicant's experience to make up for deficiencies in education or training.

b. I/M/O CHRISTOPHER GAMBARO - An e-mail inquiring as to whether for the next renewal fee will be decreased from the regular \$500.00. He also inquired as to whether the Board will address the constant struggle between sleep labs and New Jersey Insurance company's denial of sleep studies for patients.

The Board determined that a letter be sent to Mr. Gambaro, advising that the fees will not be decreased for the next renewal and that State Board of Polysomnography does not have jurisdiction over insurance companies. **Mr. Gambaro will be so advised.**

There being no other business to come before the Board in Public Session. On a motion by Sara Gallagher, seconded by Penni Smith, the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to conduct one (1) investigative inquiry, to review two (2) items of old business, three (3) items of new business.

The next scheduled meeting is October 14, 2014. There being no other business to come before the Committee, on a motion by Sara Gallagher, seconded by Penni Smith, the meeting was adjourned at 1:15 P.M.

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Respectfully submitted,

State Board of Polysomnography

Dorcas K. O'Neal
Executive Director

